

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

JEFF EDWARD SLIDER,

Plaintiff,

v.

Civil Action No. 2:08cv112

**DR. FRIDLY, WARDEN OF POTOMAC
HIGHLANDS REGIONAL JAIL,
DOCTOR AT NORTHERN REGIONAL JAIL,
WARDEN OF NORTHERN REGIONAL JAIL,
DR. MUST, WARDEN OF DENMAR
CORRECTIONAL CENTER, BRIAN A. GHAPHERY,
and STATE OF WEST VIRGINIA,**

Defendants.

ORDER

It will be recalled that on February 27, 2009, Magistrate Judge David J. Joel filed his Report and Recommendation, wherein the Plaintiff was directed, in accordance with 28 U.S.C. § 636(b)(1), to file with the Clerk of Court any written objections within ten (10) days after being served with a copy of the Report and Recommendation. No objections to the Magistrate Judge's Report and Recommendation have been filed. Accordingly, the Court will proceed with consideration of the Report and Recommendation reviewing for clear error.¹

Upon examination of the report from the Magistrate Judge, it appears to the Court that the issues raised by the Plaintiff in his Complaint, filed pursuant to 42 U.S.C. §1983, wherein Plaintiff alleges that he has not been receiving adequate psychiatric or medical services during his incarceration, were thoroughly considered by Magistrate Judge Joel in his Report and Recommendation. Moreover, the Court, upon a review for clear error of

¹The failure of a party to object to a Report and Recommendation waives the party's right to appeal from a judgment of this Court based thereon and, additionally, relieves the Court of any obligation to conduct a *de novo* review of the issues presented. See Wells v. Shriners Hospital, 109 F.3d 198, 199-200 (4th Cir. 1997); Thomas v. Arn, 474 U.S. 140, 148-153 (1985).

all matters now before it, is of the opinion that the Report and Recommendation accurately reflects the law applicable to the facts and circumstances before the Court in this action. Therefore, it is

ORDERED that Magistrate Judge Joel 's Report and Recommendation be, and the same hereby is, accepted in whole and that this civil action proceed in accordance with the recommendation of the Magistrate Judge. Accordingly, it is

ORDERED that the Plaintiff's claims against defendants Warden of the Potomac Highlands Regional Jail, Warden of the Northern Regional Jail, Warden of the Denmark Correctional Center, Brian Ghaphery and the State of West Virginia shall be, and the same hereby are, **DISMISSED with prejudice** pursuant to 28 U.S.C. §§1915A and 1915(e) for failure to state a claim for which relief may be granted. It is further

ORDERED that civil process shall issue as to Defendants Dr. Fridly, Dr. Must and the Doctor of the Northern Regional Jail. Accordingly, those defendants shall be served with a copy of a twenty (20) day summons and the complaint through the United States Marshal Service. It is further

ORDERED that the Clerk shall enter judgment for Defendants Warden of the Potomac Highlands Regional Jail, Warden of the Northern Regional Jail, Warden of the Denmark Correctional Center, Brian Ghaphery and the State of West Virginia.

ENTER: October 16th, 2009

/s/ Robert E. Maxwell
United States District Judge